

# In The United States Court of Federal Claims

No. 10-177T

(Filed: October 7, 2010)

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GEORGE BIRMINGHAM and SHEILA  
BIRMINGHAM,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

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## ORDER

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On October 6, 2010, a preliminary status conference was held in this case. Participating in the conference were Anthony Diosidi, for plaintiff and Shelley Drake De Alth, for defendant. Based on discussions during the conference, the court adopts the schedule as outlined below.

1. On or before April 29, 2011, the parties shall complete fact discovery.
2. On or before May 9, 2011, the parties shall file a joint status report indicating whether expert discovery is necessary.
3. If expert discovery is not necessary, the joint status report shall indicate how this matter will proceed.
4. If expert discovery is necessary, the case shall proceed as follows:
  - a. On or before May 31, 2011, the parties shall file their expert reports;
  - b. On or before June 30, 2011, the parties shall exchange rebuttal expert reports, if any;
  - c. On or before July 31, 2011, the parties shall complete all expert deposition; and

- d. On or before September 12, 2011, the parties shall file a joint status report indicating how this case shall proceed.

**IT IS SO ORDERED.**

s/ Francis M. Allegra  
Francis M. Allegra  
Judge